

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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ROY HOROWITZ, LINDA LARSON,  
KEMPTEN POLLARD, KATHERINE  
SEAMAN, and KATHLEEN SWEENEY,

Plaintiffs,

v.

AT&T INC., AT&T CORP.,  
AT&T SERVICES, INC., and  
AT&T MOBILITY SERVICES LLC,

Defendants.

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Civil Action No. 3:17-cv-4827-BRM-LHG

**ORDER**

**THIS MATTER** is opened to the Court by: (1) AT&T, Inc.’s (“INC”) Motion to Dismiss against Roy Horowitz (“Horowitz”), Linda Larson (“Larson”), Kempton Pollard (“Pollard”), Katherine Seaman (“Seaman”), and Kathleen Sweeney (“Sweeney,” collectively “Plaintiffs”) for lack of jurisdiction (ECF No. 21); (2) AT&T Services, Inc. (“SERVICES”) and AT&T Mobility Services, LLC’s (“MOBILITY”) Motion to Dismiss Larson and Pollard’s claims for lack of jurisdiction (ECF No. 23); and (3) AT&T Corp. (“CORP”), SERVICES, and MOBILITY’S Motion to Dismiss for failure to state a claim (ECF No. 22). Plaintiffs oppose all motions. (ECF Nos. 41, 42, and 43.) Pursuant to Federal Rule of Civil Procedure 78(a), the Court heard oral argument on April 10, 2018. The Court having reviewed the parties’ submissions, for the reasons set forth in the accompanying Opinion, and for good cause shown,

**IT IS** on this 25th day of April 2018,

**ORDERED** that INC’s Motion to Dismiss for lack of jurisdiction is **DENIED**; and it is further

**ORDERED** that SERVICES and MOBILITY's Motion to Dismiss Larson and Pollard's claims for lack of jurisdiction is **GRANTED**; and it is further

**ORDERED** that CORP, SERVICES, and MOBILITY's Motion to Dismiss for failure to state a claim is **DENIED** as to the class action claims and **GRANTED** as to all other requests.

/s/ *Brian R. Martinotti*  
**HON. BRIAN R. MARTINOTTI**  
**UNITED STATES DISTRICT JUDGE**